

BILL NO. 88-56

~~AS~~ AMENDED

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 88-56

Introduced by Introduced by Council Member Risacher

Legislative Day No. 88-24 Date August 2, 1988

AN ACT to add new section 109-8.1, ~~Notice-of~~ Addition of Landfills to Solid Waste Management Plan, to Article I, General Provisions, of Chapter 109, Environmental Control, of the Harford County Code, as amended; to require that certain information be submitted with an application to include a proposed landfill in the solid waste management plan; to require that notice of the hearing for the application be given to certain persons; to provide that approval of an application is not final until the applicant reimburses the county for the cost of giving notice; to require that notice of the hearing be posted on the proposed site; to define a certain term; and generally relating to landfills and the solid waste management plan.

By the Council, August 2, 1988

Introduced, read first time, ordered posted and public hearing scheduled

on: September 6, 1988

at: 6:00 P.M.

By Order: Doris Poulsen, Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held

on September 6, 1988

and concluded on September 6, 1988

Doris Poulsen, Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

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1 Section 1. Be It Enacted By The County Council of Harford
2 County, Maryland, that new Section 109-8.1, ~~Notice-of~~ Addition
3 of Landfills to Solid Waste Management Plan, be, and it is
4 hereby, added to Article I, General Provisions, of Chapter
5 109, Environmental Control, of the Harford County Code, as
6 amended, all to read as follows:

7 Chapter 109. Environmental Control.

8 Article I. General Provisions.

9 SECTION 109-8.1. ~~NOTICE--OF~~ ADDITION OF LANDFILLS TO SOLID
10 WASTE MANAGEMENT PLAN.

11 A. FOR THE PURPOSES OF THIS SECTION, "LANDFILL" MEANS A
12 PROPOSED SOLID WASTE DISPOSAL SITE THAT IS REQUIRED TO HAVE A
13 PERMIT UNDER THE ENVIRONMENT ARTICLE, SECTION 9-204 OF THE
14 ANNOTATED CODE OF MARYLAND.

15 B. AN APPLICATION REQUESTING INCLUSION OF A SITE AS A
16 LANDFILL IN THE COUNTY SOLID WASTE MANAGEMENT PLAN SHALL
17 ~~INCLUDE--THE--NAMES--AND--ADDRESSES--OF--ALL--OWNERS--OF--REAL~~
18 ~~PROPERTY--LOCATED--WITHIN--500--FEET--OF--THE--PROPOSED--LANDFILL--~~
19 INCLUDE:

20 (1) THE NAME AND ADDRESS OF THE OWNER OF THE REAL
21 PROPERTY ON WHICH THE LANDFILL WILL BE LOCATED; AND

22 (2) THE NAMES AND ADDRESSES OF ALL OWNERS OF REAL
23 PROPERTY LOCATED WITHIN 2,500 FEET OF THE BOUNDARIES OF THE
24 PARCEL OF REAL PROPERTY ON WHICH THE LANDFILL WILL BE LOCATED.

25 C. WHEN A HEARING ON THE APPLICATION HAS BEEN SCHEDULED IN
26 ACCORDANCE WITH THE ENVIRONMENT ARTICLE, SECTION 9-503 OF THE
27 ANNOTATED CODE OF MARYLAND:

28 (1) THE SECRETARY OF THE COUNTY COUNCIL SHALL ENSURE
29 THAT A NOTICE OF THE HEARING, INCLUDING ITS DATE, TIME, PLACE,
30 AND PURPOSE, IS SENT BY FIRST CLASS MAIL TO THE APPLICANT AND
31 EACH PROPERTY OWNER LISTED IN THE APPLICATION; AND

32 (2) (a) THE DEPARTMENT OF PUBLIC WORKS SHALL POST AT

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1 LEAST 2 SIGNS, AT LEAST TWENTY-FOUR (24) INCHES WIDE AND
2 THIRTY-SIX (36) INCHES HIGH, LISTING THE DATE, TIME, PLACE,
3 AND PURPOSE OF THE HEARING, IN CONSPICUOUS PLACES NEAR THE
4 BOUNDARIES OF THE PROPOSED LANDFILL; AND

5 (b) FOLLOWING THE POSTING, THE APPLICANT SHALL
6 MAINTAIN THE SIGNS IN A CONDITION VISIBLE TO THE PUBLIC UNTIL
7 THE DATE OF THE HEARING.

8 (3) REGARDLESS OF THE NUMBER OF SIGNS REQUIRED BY
9 PARAGRAPH (2) OF THIS SUBSECTION, IF A SIDE OF THE PROPOSED
10 LANDFILL IS CONTIGUOUS TO A PUBLIC ROAD, THE DEPARTMENT OF
11 PUBLIC WORKS SHALL POST A SIGN DISPLAYING THE INFORMATION
12 REQUIRED BY PARAGRAPH (2) OF THIS SUBSECTION ALONG THAT SIDE.

13 (4) UPON CERTIFICATION OF THE COST BY THE SECRETARY
14 OF THE COUNTY COUNCIL, THE APPLICANT SHALL REIMBURSE THE
15 COUNTY FOR THE COST OF THE MATERIALS AND POSTAGE REQUIRED FOR
16 THE NOTICES MAILED PURSUANT TO PARAGRAPH (1) OF THIS
17 SUBSECTION. APPROVAL OF AN APPLICATION REQUESTING INCLUSION
18 OF A SITE AS A LANDFILL IN THE COUNTY SOLID WASTE MANAGEMENT
19 PLAN IS NOT FINAL UNTIL THE APPLICANT HAS REIMBURSED THE
20 COUNTY AS REQUIRED BY THIS PARAGRAPH.

21 Section 2. And Be It Further Enacted, that this Act shall
22 take effect 60 calendar days from the date it becomes law.
23 EFFECTIVE: December 13, 1988
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BY THE COUNCIL

BILL NO. 88-56 (as amended)

Read the third time.

Passed LSD 88-30 (October 4, 1988) (with amendments)

Failed of Passage _____

By Order

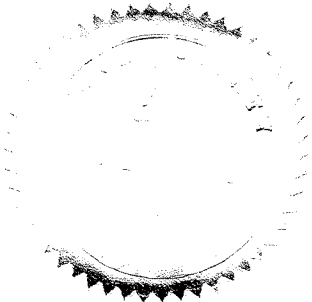
Daris Poulsen, Secretary

Sealed with the County Seal and presented to the County Executive
for his approval this 5th day of October, 1988
at 3:00 o'clock P.M.

Daris Poulsen, Secretary

BY THE EXECUTIVE

APPROVED:



[Signature]
County Executive

Date 10-14-88

BY THE COUNCIL

This Bill (No. 88-56, as amended), having been approved by the
Executive and returned to the Council, becomes law on October 14, 1988.

Daris Poulsen, Secretary

EFFECTIVE DATE: December 13, 1988

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